

ORDINANCE NO. 13

SERIES 2008

AN ORDINANCE AMENDING CERTAIN
PROVISIONS OF THE TOWN CODE RELATIVE
TO THE ERECTION OF FREESTANDING SIGNS
ON PUBLIC PROPERTY AND ON SIDEWALKS
TO PERMIT THE TEMPORARY PLACEMENT OF
REAL ESTATE OPEN HOUSE SIGNS ON SAID
PROPERTIES WHERE CERTAIN
REQUIREMENTS ARE MET

WHEREAS, the Town of Crested Butte, Colorado (the "Town") is a home rule municipal corporation duly and regularly organized and validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado;

WHEREAS, the Zoning and Land Use Ordinance of the Crested Butte Town Code of 1986, as amended (the "Town Code"), contains certain requirements prohibiting the placement of freestanding signs in the public right of way and on any sidewalk;

WHEREAS, the Town Staff has recommended to the Town Council that said requirements require revision to allow for the erection of temporary real estate open house signs on public property and on sidewalks under certain circumstances; and

WHEREAS, the Town Council finds that amending said requirements to allow for the erection of temporary real estate open house signs on public property and on sidewalks, subject to the requirements herein identified, is in the best interest of the health, safety and general welfare of the residents and visitors of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,

Section 1. Adding a New Section 15-2-23.B.19. Section 15-2-23.B. is hereby amended by adding a new subsection thereto which shall read as follows:

"19. Notwithstanding any provision of this Section to the contrary, real estate open house signs for single property sales shall be permitted, other than as already permitted on the subject property subject to the provisions of this Section, on the shoulder of the public right of way or on public sidewalks provided that such signs shall not interfere in any way with pedestrian or vehicular traffic or obstruct the sight line of any public or private signage. Said open house signs shall also meet the following requirements and criteria:

a. no open house sign may be placed on publicly zoned property or at the intersection of Elk Avenue and Sixth Street;

b. open house signs may only be placed in such locations for four (4) hours or less on Tuesdays and Sundays between the hours of 10:00 a.m. and 4:00 p.m.;

c. all open house signs shall be no more than four (4) square feet, inclusive of any support structure, and may have writing on both sides;

d. no property that is the subject of an such open house sign may hold an open house more than once per month while utilizing said signage;

e. the subject property may utilize only two (2) directional open house signs not located on the subject property;

f. only one (1) of such open house signs shall be permitted at any sign location or intersection; and

g. any owner of the subject property, listing broker or other real estate broker, or their respective agents, that place signage in violation of these requirements shall be deemed a person pursuant to Section 15-2-29.

The provisions of this subsection 19 shall be in full force and effect for one (1) year from the effective date of hereof. Following the conclusion of said one (1) year period this subsection 19 and the provisions contained herein shall, unless otherwise extended or amended by the Town Council by duly adopted ordinance, expire and be of no further force and effect without further action of the Town Council."

Section 2. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. Savings Clause. Except as hereby amended, the Town Code shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.


INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 5th DAY OF August, 2008.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN A PUBLIC HEARING THIS 18th DAY OF August, 2008.

TOWN OF CRESTED BUTTE, COLORADO

By: 
Alan Bernholtz, Mayor

ATTEST:


Eileen Hughes, Town Clerk

(SEAL)